(Spl.-ca170-04H.C.A.S.C.D., 78-e)

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF BOMBAY AT GOA
PANAJI, GOA.
APPELLATE SIDE

DISTRICT :

CIVIL APPLICATION NO. 125 OF 2004
IN FIRST APPEAL NO. 105 OF 2004

Office Notes, Office Memoranda of Quorum, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders

Mr. N. N. Sardessai, advocate for the applicants.

Mr J. P. Mulgaokar, advocate for the respondent nos. 1 and 2.

CORAM : A. P. LAVANDE, J.

DATE : 14th January, 2005.

P.C.

This is an application for stay of the execution of impugned Judgment and Award dated 31st January, 2004 passed by the learned Civil Judge, Senior Division, "C" Court, Mapusa, in

Special Civil Suit No.224/1992/C. Mr. Sardessai, learned counsel for the applicants/appellants, submits that there is no foundation laid by the respondents for claiming interest at the rate of 18% per annum from 1st January, 1992, on Rs.4,55,000/-

2. I have heard the learned counsel appearing for the parties. In my opinion, it would be just and proper if the execution of the impugned Judgment and Award is stayed upon the applicants/appellants depositing in this Court interest at the rate of 12% on Rs.4,55,000/- from 1st January, 1992, till the date of deposit, within a period of eight weeks from today. Accordingly, the

impugned Judgment and Award is stayed subject to the deposit of the interest at the rate of 12% per annum on Rs.4,55,000/- from 1.1.1992 till the date of deposit within a period of eight weeks from today.

3. The application stands disposed of accordingly. Upon the deposit being made by the applicants-appellants, the Registrar is directed to invest the amount in Fixed Deposit in any Nationalized Bank, initially for a period of 13 months to be renewed from time-to-time till the disposal of the appeal.

A.P. LAVANDE, J.

mc.

A. P. LAVANDE, J.

mc.